

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

TIFFANY SPILLER  
*Plaintiff*

v.

BEAUMONT INDEPENDENT SCHOOL DISTRICT, DR. CARROL THOMAS, individually and in his representative capacity, ROLAND ANTOINE, individually and in his representative capacity, AND TOMMY FLOYD GRANGER, individually and in his representative capacity

### Defendants

CIVIL ACTION NO. 1:06-CV-722

JUDGE MARCIA A. CRONE

## **MOTION TO LIFT STAY**

Defendant Tommy Floyd Granger (Granger") files this Motion to Lift Stay:

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As asserted in the Complaint, Granger was indicted by a Jefferson County grand jury for his alleged "conduct with Rose." PLAINTIFF, LIBBY ROSE's ORIGINAL COMPLAINT AND JURY DEMAND, ¶ 29. Granger filed a motion to stay the civil proceedings during the pendency of the criminal case. By Order signed March 20, 2007 (Document 28), the Court ordered that, "this litigation is stayed pending the final conclusion of the parallel criminal proceedings in State Court, Case No. 98245, in the 252nd District Court of Jefferson County, Texas."

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The criminal case has been tried, Granger was acquitted, and the criminal proceedings have been finally concluded. There is no reason to continue the stay of the civil proceedings.

III.

Granger moves that the stay of these civil proceedings be lifted and dissolved.

IV.

Undersigned counsel has conferred with counsel for co-defendants and has been advised that co-defendants do not oppose this motion. Undersigned counsel has attempted without success to discuss this motion with plaintiff's counsel.

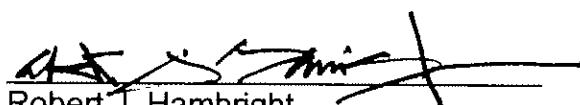
V.

WHEREFORE, defendant Granger moves that the above and foregoing motion be granted and that the stay of these civil proceedings be lifted and dissolved.

DATED this 22<sup>nd</sup> day of January, 2008.

Respectfully submitted,

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Robert J. Hambright  
State Bar No. 08814300

ATTORNEYS FOR DEFENDANT  
TOMMY FLOYD GRANGER

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion to Lift Stay was electronically filed and served on this 22nd day of January, 2008:

Peggy S. Bittick  
Law Office of Peggy S. Bittick  
One Themis Place  
2400 South Texas Avenue  
Pearland, Texas 77581

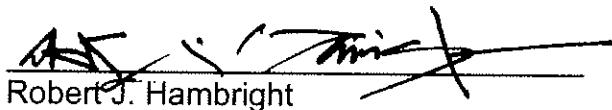
Melody G. Chappell  
Wells, Peyton, Greenberg & Hunt, L.L.P.  
550 Fannin, Sixth Floor, Century Tower, 77701  
P.O. Box 3708  
Beaumont, Texas 77704-3705

  
Robert J. Hambright

**CERTIFICATE OF CONFERENCE**

Undersigned counsel has attempted unsuccessfully to confer with counsel for plaintiff in a good faith effort to resolve this matter without court intervention, and undersigned counsel therefore does not know whether this motion will be opposed or unopposed by plaintiff.

DATED this 22nd day of January, 2008.

  
Robert J. Hambright